

1 8. (Twice Amended) The tracklaying vehicle according to claim 1, wherein  
2 electrohydraulic function units for performing vehicle functions[, for instance of the front and  
3 rear device carrier,] are arranged in a decentralized manner and comprise an electric motor, a  
4 pump, a control block and a hydraulic medium tank.

1 11. (Twice Amended) The tracklaying vehicle according to claim 3, wherein said  
2 tracklaying vehicle comprises a parking brake, [in particular as] said parking brake includes a  
3 multidisc brake integrated in the planetary gear which is operable by a hydraulic medium based  
4 on water.

Claim 25, line 2, delete "unto".

Please add the following new claims:

1 28. The tracklaying vehicle according to claim 1, wherein the additional devices may  
2 be selected from a rotary snow plow or a front snow blower.

1 29. The tracklaying vehicle according to claim 1, wherein said vehicle has one electric  
2 motor (such that a steering gear is arranged for the drive sprocket of each track.)

### REMARKS

The drawings have been objected to under 37 C.F.R. § 1.83(a).

The Examiner's rejection is respectfully traversed.

The items that the Examiner has requested be illustrated are basically electrical or mechanical in nature, are known in the art but not known in combination with the Applicants' invention. For example, on page 15 of the specification it states that the loading platform and driver's cab are tiltable by electric or electrohydraulic drives. These drive mechanisms need not be shown. It is the same for a parking brake, direction switch, etc. If the Examiner persists in his request, once the application has been allowed, the Applicants will illustrate the required features in the drawings.

The Examiner stated that the title of the invention is not descriptive and the term "piste" is not in common usage in the English language and thus should be replaced. Enclosed herewith is a list of issued U.S. Patents that have included the word piste in the title or elsewhere in the application. Thus, the Applicants believe that the word does have common usage and should not have to be amended.

As requested by the Examiner, appropriate headings have been added to the specification and the specification has been amended to correct a typographical error.

The specification has been objected to under 37 C.F.R. 1.71.

The Examiner's objection is respectfully traversed.

It should be clear for one skilled in the art that during the purely electrical operation of the vehicle, all liquid such as hydraulic oil, fuel, etc. can be removed so that a weight reduction is achieved. Additionally, the Applicants believe that the description on pages 8-10 would allow one skilled in the art to use the vehicle control unit, setpoint transmitter electrical evaluation means with stored values, etc. to calculate and control the consumption optimization.

Claims 1-3, 5-7, 9, 10, 17-19, and 22-26 have been rejected under 35 U.S.C. § 112, second paragraph. The claims have been amended to obviate this rejection.

Claims 1, 2, 5, 6, 9, 10, and 17 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Logan Manufacturing Company, WO 94/09548 in view of Buchdrucker, U.S. Patent No. 5,018,592.

The Examiner's rejection is respectfully traversed.

The Applicants' invention is directed to a piste-maintenance tracklaying vehicle comprising an internal combustion engine which is drivingly connected via a gear to a drive sprocket of each track. Also included are accessory drives for additional devices which are mountable on the tracklaying vehicle, such as a rotary snow plow, front snow blower, etc. and/or for vehicle components such as a tilting device for a platform or driver's cab, or track tensioner. The internal combustion engine is connected via a generator and at least one electrical motor and has a gear to each drive sprocket. In the overrun mode the electric motor is switchable as a current generator for accessory drives. At least one electric drive for a shaft of a rotary snow plow is synchronized with the electric motor of the drive sprocket.

As stated by the Examiner, Logan fails to teach an implement as being a rotary snow plow synchronized to the electric motor. Thus, the Examiner has cited Buchdrucker '592 to teach a driving vehicle wherein the operation of a plow and wheels may be synchronized through the operation of clutches.

Contrary to the Examiner's argument, Buchdrucker '592 is not related to tracklaying vehicles as disclosed in the PCT publication of Logan or as discussed in the present invention. Buchdrucker '592 refers to a two wheel snow blower which is used to remove snow from pedestrian walkways or similar type areas. Additionally, the synchronization between the

wheel drive and the auger is achieved through mechanical means. The only reason why there may be a synchronization between the auger and the wheel velocity is that a single engine 15 is used for both the auger drive as well as the wheel drive. The internal combustion engine 15 has one drive shaft on which a first clutch 16 for the driving auger as well as a second clutch for the wheel drive are co-axially aligned and positioned. Therefore, if both clutches are engaged, they are automatically synchronized as they use the same drive shaft. However, this is not equivalent to electrical synchronization as claimed in the Applicants' invention.

The combination of the above cited references is improper. The prior art must be considered for all it teaches, including disclosures that point toward the invention as well as those which teach away from the invention. One cannot pick and choose among the individual elements of assorted prior art references to recreate the claimed invention. Just because the prior art could be modified to form the claimed invention, unless the prior art suggests the modification, the modification would not have been obvious. It is impermissible, however, simply to engage in a hindsight reconstruction of the claimed invention, using Applicants' structure as a template and selecting elements from references to fill the gaps.

In this instance, the teachings of Logan and Buchdrucker '592 do not render the Applicants' invention obvious. If the teaching of the references were combined, one would not have an electric drive for a shaft of the rotary snow plow which is synchronized with the electric motor of the drive sprocket as disclosed in the Applicants' invention. Additionally, one must use hindsight to reconstruct the claimed invention, using the Applicants' structure as a template to select elements from the references to fill the gaps. Additionally, there still remains the gap of electrically synchronizing the electric motor and the drive sprocket as it is simply not two clutches co-axially aligned on one drive shaft such that they would

automatically be synchronized. Thus, the Applicants' invention is not obvious over Logan Manufacturing, in view of Buchdrucker '592.

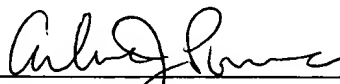
Claim 3 has been rejected under 35 U.S.C. § 103(a) as being unpatentable over Logan in view of Buchdrucker '592 and Ossi, U.S. Patent No. 5,101,919. Claims 7, 18, 19 and 22-25 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Logan in view of Buchdrucker '592 and Kawakatsu, U.S. Patent No. 4,335,429. Claim 23 has been rejected under 35 U.S.C. § 103(a) as being unpatentable over Logan in view of Buchdrucker '592, Kawakatsu '429 and Tsutsui et al., U.S. Patent No. 5,649,880.

The Examiner's rejections are respectfully traversed.

As the combination of Logan and Buchdrucker '592 do not render the Applicants' independent claim as obvious, the combination of additional references does not render the additionally cited dependent claims as obvious.

The application is now considered to be in condition for allowance, and an early indication of same is requested.

Respectfully submitted,



Arlene J. Powers  
Registration No. 35,985  
Samuels, Gauthier & Stevens  
225 Franklin Street, Suite 3300  
Boston, Massachusetts 02110  
Telephone: (617) 426-9180  
Extension 110